

# Court of Appeals, State of Michigan

## ORDER

People of MI v David Christian DeJonge

Docket No. 295168

LC No. 08-003014-FC

Alton T. Davis  
Presiding Judge

Peter D. O'Connell

William C. Whitbeck  
Judges

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The motion for disclosure of the requested records protected under 42 USC 290ee-3 is GRANTED. Defendant has shown good cause for the disclosure in that due process and the right to appellate review of the substance of decisions made by the trial court regarding the admissibility of evidence is fundamental.

The motion to file supplemental briefs to raise issues regarding the confidential records is GRANTED. Appellant's supplemental brief shall be due within 21 days after the certification of this order. Appellee may file a supplemental brief within 21 days of service of appellant's supplemental brief.

The motion to seal the requested records and the supplemental briefs is GRANTED. This Court finds good cause to seal the records based on 42 USC 290ee-3, and determines that there are no less restrictive means to adequately and effectively protect the interest asserted. MCR 7.211(C)(9)(e).

The Clerk shall disclose or provide copies of any order or opinion entered in this appeal, MCR 8.119(F)(5); MCR 7.211(C)(9)(c), but sealed items in the file shall not be disclosed or made available for public viewing.

The Clerk is directed to forward a copy of this order to the Clerk of the Supreme Court and to the State Court Administrative Office. MCR 8.119(F)(7); MCR 7.211(C)(9)(c).



Presiding Judge



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 04 2010

Date



Chief Clerk